

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

FRANK MONACO BAZZO,

Plaintiff,

v.

S. GATES, et al.,

Defendants.

Case No. 1:21-cv-01343-ADA-CDB (PC)

**ORDER DIRECTING DEFENDANTS TO  
FILE RESPONSIVE PLEADING WITHIN  
THIRTY DAYS**

Plaintiff is proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983.

Following removal from state court by Defendant S. Gates and screening of Plaintiff's first amended complaint in this Court, the undersigned issued Findings and Recommendations to Dismiss Certain Claims on April 10, 2023. (Doc. 27.) Specifically, the Court recommended this action proceed on Plaintiff's Eighth Amendment conditions of confinement and Eighth Amendment deliberate indifference to serious medical needs claims against Defendants Gates and Bobbola, and unknown Does 1 through 5, only; the remaining claims in Plaintiff's first amended complaint were to be dismissed. (*Id.*)

On June 30, 2023, District Judge Ana de Alba issued an Order Adopting Findings and Recommendations to Dismiss Certain Claims. (Doc. 28.) The findings and recommendations were adopted in full and this action proceeds on Plaintiff's Eighth Amendment conditions of

1 confinement and deliberate indifference to serious medical needs claims against Defendants Gates  
2 and Bobbola, and Does 1 through 5, only; the remaining claims in Plaintiff's first amended  
3 complaint were dismissed. (*Id.*)

4 Considering the foregoing, **IT IS HEREBY ORDERED** that Defendants S. Gates and  
5 Dr. Bobbola shall file a responsive pleading to Plaintiff's first amended complaint **within thirty**  
6 **(30) days** of the date of service of this order.

7 IT IS SO ORDERED.

8 Dated: **July 5, 2023**

  
UNITED STATES MAGISTRATE JUDGE